

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHELLE MARINO, DEBORAH
ESPARZA, MONICA RAEL, and CERA
HINKEY, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

COACH, INC.,

Defendant.

CASE NO.:

1:16-cv-01122-VEC (OTW) (Lead)

Consolidated Member Case Nos.:

1:16-cv-03773-VEC (OTW)

1:16-cv-03677-VEC (OTW)

1:16-cv-05320-VEC (OTW)

MEMO ENDORSED

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE
TO FILE BRIEF IN EXCESS OF PAGE LIMIT**

Plaintiffs Michelle Marino, Deborah Esparza, Monica Rael, and Cera Hinkey ("Plaintiffs"), by and through their attorneys, hereby move the Court to permit them to file a memorandum of law in support of their forthcoming Amended Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan (the "Memorandum") that exceeds the 25-page limit set forth by the Court's Individual Practices 4.B. In support of this motion, Plaintiffs state as follows:

1. Plaintiffs' previous Motion for Preliminary Approval of the Class Action Settlement was 31 pages. (ECF No. 122-1.) The present motion will address the same issues, and thus necessitates a similar number of pages.

2. Plaintiffs' Memorandum is required to detail, among other things, the extensive history of this action and the terms of the proposed settlement. The Memorandum will provide a concise analysis of the reasons why the proposed settlement should be approved under the Second Circuit's nine-factor test set forth in *Detroit v. Grinnell Corp.*, 495 F.2d 448 (2d Cir. 1974). The Memorandum will also detail why the proposed class meets the prerequisites of Federal Rule of

Civil Procedure 23(a) and (23(b)(3).

3. Plaintiffs have endeavored to condense these points in order to meet the Court's twenty-five page limitation. However, in order to adequately address each of the issues in the Memorandum and provide the Court with the required information and analysis, Plaintiffs require an additional 10 pages.

4. Defendant Coach, Inc. (now d/b/a Tapestry, Inc.) does not oppose the relief requested.

WHEREFORE, Plaintiffs request the entry of an order granting this motion for leave to file a Memorandum of no more than thirty-five (35) pages.

Dated: July 16, 2020

Respectfully submitted,

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Application GRANTED. Given the forthcoming amended motion, the pending motions at docket entries 121 and 122 are denied as moot.

Additionally, after review of the parties' joint letter in response to the Court's inquiries, the Court directs Plaintiffs to explain in their amended motion, in greater detail, how the proposed Internet banner campaign will be able to identify the websites frequented by Coach shoppers, and whether the banner will be displayed on Coach's outlet or retail websites.

SO ORDERED.

Date: 07/17/2020



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE